

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of	)	<b>MAIL STOP AMENDMENT</b>
Richard B. Hoiberg et al.	)	Group Art Unit: 2179
Application No.: 09/074,544	)	Examiner: Ba Huynh
Filed: May 8, 1998	)	Confirmation No.: 2392
For: METHOD FOR DYNAMICALLY	)	
GENERATING A "TABLE OF	)	
CONTENTS" VIEW OF A HTML-	)	
BASED INFORMATION SYSTEM	)	

**SUPPLEMENTAL SUBMISSION  
AND  
STATEMENT OF THE SUBSTANCE OF THE INTERVIEW**

Commissioner for Patents  
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Sir:

Further to the Reply filed February 25, 2009 and the Interview Summary dated April 9, 2009, Applicants submit the following comments on the substance of the telephonic interview with the Examiner and arguments in support of the patentability of the claims.

In the Final Office Action dated September 25, 2008, claims 62-69 were rejected under 35 U.S.C. §103 as being unpatentable over the Dolan et al. patent in view of the DeRose et al. patent. Claims 70-77 were rejected under 35 U.S.C. §103 as being unpatentable over the DeRose patent in view of the Walls et al. patent. Applicants respectfully submit that the presently pending claims are patentably distinct from the teachings of these references, for the reasons of record. The discussions during the above-noted interview were particularly focused upon one feature that is not disclosed in any of the references, namely the recitation in claim

62 of "searching each of the files at a first hierarchical level in the selected folder to identify files a predetermined type". Independent claim 70 recites the structure for performing this function, in the form of a "means plus function" recitation.

The above-quoted recitation encompasses a combination of features that are not disclosed in the references. First, one of a plurality of folders, each of which contains one or more HTML source files of information, is selected. Files that are contained in the selected folder are searched, to identify those which are of a predetermined type. Moreover, the files in the selected folder that are searched are those which are at a first hierarchical level. In rejecting claim 62, the Final Office Action asserts that this combination of features is disclosed at column 10, lines 1-36 of the Dolan patent (Office Action at pages 3 and 7). This portion of the patent describes the procedure depicted at step 516 in the flow chart of Figure 5. Specifically, a requested item is presented to one of a number of filters 410A-E that parse items according to respective network access protocols. Even if the parsing of an item is considered to correspond to searching a file, it is respectfully submitted that the item is not a file stored in a selected folder, as recited in claim 62. Rather, the item that is presented to the filters is the result that is successfully obtained in response to a request from a user. Beginning at column 8, line 36, the Dolan patent describes the procedure depicted in Figure 5. It begins when the user enters a universal resource name using a keyboard (step 502) to retrieve a network-accessible item. If the requested item can be located, via either the network (step 508) or a cache (step 528), it is presented to one of the filters to be parsed (step 516).

Thus, it can be seen that the item that is parsed by the filter is something that has been retrieved in response to a user-entered universal resource name (URN) or universal resource locator (URL). The Dolan patent does not disclose that this item comprises a file that is stored in a selected folder, as recited in claim 62. Moreover, the patent does not disclose that the filters function to search files at a first hierarchical level within a selected folder. Nor does the patent disclose that the filters search for files of a predetermined type.

For at least the foregoing reasons, the Dolan patent does not support the rejection of claim 62, nor any of its dependent claims.

In the rejection of claim 70, the Office Action alleges that the Walls patent discloses searching each of the files at a first hierarchical level in a selected folder to identify files of a predetermined type, with specific reference to column 12, lines 13-22. Again, however, it is respectfully submitted that the cited portion of the reference does not disclose the claimed subject matter. At best, this portion of the Walls patent discloses that an extension of a file name can be used to distinguish between different types of files, and thereby determine whether a particular file should be searched for header information. However, it does not disclose that the files being searched are stored in a selected folder. Nor does it disclose that these files are located at a first hierarchical level of such a selected folder. Accordingly, the Walls patent does not disclose the claimed features for which it is being relied upon, and therefore does not support the rejection of claim 70, or its dependent claims.

For at least the foregoing reasons, as well as those presented in Applicants' previous responses, it is respectfully submitted that the pending claims are patentably distinct from the references of record. Reconsideration and withdrawal of the rejections, and allowance of all claims is respectfully requested.

Respectfully submitted,

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Date: May 11, 2009

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